

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

SCURA, WIGFIELD, HEYER,
STEVENS & CAMMAROTA, LLP
1599 Hamburg Turnpike
Wayne, New Jersey 07470
Tel.: 973-696-8391
David L. Stevens
dstevens@scura.com
Counsel for Debtor

In Re:

Robert Ancona

Debtor.



Order Filed on January 21, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 20-13965-CMG

Hearing Date: _____

Chapter: 13

Judge: CMG

**AMENDED ORDER
AUTHORIZING SALE OF
REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: January 21, 2021

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 1415 East 23rd St. Brooklyn, New York, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 2016-1(d) and D.N.J. LBR 6004-5, the following professional(s) shall be paid at closing.

Name of professional: Karen Behfar (Realtor)

Amount to be paid: 3% of sale price (Realtor)

Services rendered: The professional has marketed the property, qualified potential buyers, assisted with the sale negotiations, coordinated the closing of title and provided other similar services if requested by the Debtor.

AND:☒ Sufficient funds may be held in escrow to pay for Special Counsel's attorney's fees on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ \$25,150 claimed as exempt shall be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case. The balance of the proceeds will be determined by deducting the first mortgage amount, reasonable closing costs, non-filing spouse's half interest in the sale proceeds, special counsel fees, and realtor commissions from the sale proceeds.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days ^X after closing.
8. ☒ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

The fourteen-day stay is waived pursuant to Fed. R. Bankr. P. 6004(h).

The non-filing spouse and co-owner of the real property, Ginette Ancona, shall be paid 50% of the net sale proceeds at closing.

rev.8/1/15

In re:
Robert Ancona
Debtor

Case No. 20-13965-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jan 22, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 24, 2021:

Recip ID	Recipient Name and Address
db	+ Robert Ancona, 516 Page Avenue, Allenhurst, NJ 07711-1235

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 22, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
David L. Stevens	on behalf of Debtor Robert Ancona dstevens@scura.com ecfbkfilings@scuramealey.com;lhague@scura.com;mduran@scura.com;vmajano@scura.com;rshah@scura.com;martinezcr93878@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor U.S. Bank N.A. as Trustee f/b/o holders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Series 2006-3 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Karen B. Olson	on behalf of Creditor Wilmington Savings Fund Society FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2014-11TT kbo@kkmllp.com
U.S. Trustee	

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Jan 22, 2021

Form ID: pdf903

Total Noticed: 1

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5